

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
WAYNE MILLER, for himself and on behalf of all
others similarly situated, :
:
Plaintiff, : No. 13-cv-1541 (VB)
:
- v - : ECF CASE
:
WELLS FARGO BANK, N.A., WELLS FARGO :
INSURANCE, INC., ASSURANT, INC. and :
AMERICAN SECURITY INSURANCE :
COMPANY, :
:
Defendants. :
:
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NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the accompanying Declarations of Stephen Gauster, Ronald K. Wilson, and Rebecca H. Voyles, and the exhibits annexed thereto, defendants Assurant, Inc. and American Security Insurance Company, by and through undersigned counsel, will move in the above-captioned action before the Honorable Vincent L. Briccetti, United States District Judge, at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas Street, White Plains, New York 10601, on a date and at a time to be determined by the Court, for entry of an order dismissing plaintiff's Corrected Class Action Complaint as against the moving defendants pursuant to Fed. R. Civ. P. 9(b), 12(b)(1), and 12(b)(6), and for such other and further relief as the Court deems necessary and proper.

Dated: New York, New York
May 1, 2013

SULLIVAN & WORCESTER LLP

By: /s/ Andrew T. Solomon

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